



16711 U.S.P.

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22859 U.S.PTO

032104

BARRY R. LIPSITZ  
DOUGLAS M. McALLISTER

**MAIL STOP PATENT APPLICATION**

## Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**REQUEST FOR FILING A CONTINUATION OR DIVISION  
OF AN INTERNATIONAL APPLICATION**

Sir:

This is a request for filing a ***continuation*** application under 37 C.F.R. 1.53(b), of pending prior international application number PCT/EP02/10725 filed on September 25, 2002 which designated the United States.

Inventor(s):

**Dirk HERKE** whose address is **Sulzwiesenstrasse 18, 72622 Nuertingen, Germany** and whose citizenship is: **Germany**

Title: **CONTROL DEVICE**

## **APPLICATION ELEMENTS:**

- (1)  Patent Application Specification, including Abstract and claims - **20** pages  
(2)  **Four (4)** sheet(s) of **formal drawings**, together with transmittal letter  
(3)  A check in the amount of \$\_\_\_\_\_ to cover the  filing fee(\$ .00 )  
and/or  Assignment Recordal Fee (\$\_\_\_\_\_) is enclosed.

Before calculating the fee, cancel claim(s)  
 Before calculating the fee, see copy of Preliminary Amendment filed.

**MAIL STOP PATENT APPLICATION**

**Commissioner for Patents**

**HOE-810**

**March 24, 2004**

**Page 2**

- [ ] The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.
- (4) [ ] Declaration and Power of Attorney form
- a. [ ] Newly executed
  - b. [ ] Copy from a prior application
  - c. [ ] Deletion of inventor(s) – signed statement attached deleting inventor(s) named in the prior application.
- (5) [ ] Small Entity Status

**ACCOMPANYING APPLICATION PARTS:**

- (6) [ ] Assignment document
- a. [ ] Newly executed (with \$40.00 recordal fee) and separate transmittal Form PTO-1595
  - b. [ ] Copy from a prior application
  - c. [X] Please include assignee information when this application is published  
**Assignee: Alcoa Fujikura Gesellschaft mit beschraenkter Haftung**  
**Benzstrasse 2**  
**72636 Frickenhausen**  
**Germany**
- (7) [ ] Preliminary Amendment
- (8) [ ] Certified Copy of Priority Document, together with separate transmittal letter
- (9) [ ] Information Disclosure Statement, together with PTO Form 1449 and copies of cited references
- (10) [X] Return receipt postage prepaid postcard
- (11) [X] Express Mail Certificate (Mailing Label No. **EV 129898429 US**)
- (12) [X] Application Data Sheet
- (13) [ ] Other:
-

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
HOE-810  
March 24, 2004  
Page 3

(14) [ X ] Please amend the specification by inserting before the first line the sentence:

**"This application is a continuation of international application number  
PCT/EP02/10725 filed on September 25, 2002."**

(15) [ X ] This application claims the benefit of German Patent Application No. 101 49 390.8 filed September 28, 2001.

(16) [ X ] Correspondence address:

**Barry R. Lipsitz  
Law Offices of Barry R. Lipsitz  
755 Main Street, Building 8  
Monroe, CT 06468  
Telephone: (203) 459-0200**

(17) [ X ] Pursuant to the provisions of 37 C.F.R. Sections 1.10 and 1.53, Applicant respectfully requests that this application be assigned a serial number and a filing date of March 24, 2004, the date upon which the application was mailed to the Patent and Trademark Office by Express Mail (No. EV 129898429 US).

Respectfully submitted,



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Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street, Bldg. 8  
Monroe, CT 06468  
(203) 459-0200

ATTORNEY DOCKET NO.: HOE-810  
Date: March 24, 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Dirk HERKE )  
Filed: Herewith )  
For: **CONTROL DEVICE** )

EXPRESS MAIL CERTIFICATE

**MAIL STOP PATENT APPLICATION**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

"Express Mail" mailing label number EV 129898429 US

Date of Deposit: March 24, 2004

I hereby certify that the attached:

- Return receipt postage prepaid postcard;
- Transmittal Letter (Request for Filing a Continuation or Division of an International Application), with attachment - 3 pages total;
- Application Data Sheet;
- Patent Application Specification including Abstract and Claims (20 pages);
- Four (4) sheets of formal drawings, together with transmittal letter.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 and 1.53 on the date indicated above and is addressed to: **MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Carol Prentice  
(Typed or printed name of person mailing paper or fee)

*Carol Prentice*  
(Signature of person mailing paper or fee)

Respectfully submitted,

*BRL*  
Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street, Bldg. 8  
Monroe, CT 06468  
(203) 459-0200

Date: **March 24, 2004**  
ATTORNEY DOCKET NO.: **HOE-810**

P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Dirk HERKE )  
Application No.: )  
Filed: Herewith )  
For: **CONTROL DEVICE**

**DRAWING REVIEW BRANCH**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (No. EV 129898429 US) addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 24, 2004.

By: Carol Prentice  
Carol Prentice

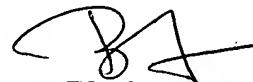
**TRANSMITTAL OF FORMAL DRAWINGS**

Dear Sir:

Enclosed are four (4) sheets of formal drawings for filing in the above-referenced patent application.

Please advise the undersigned attorney if correction is necessary.

Respectfully submitted,



Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street, Building 8  
Monroe, CT 06468  
(203) 459-0200

Date: March 24, 2004  
**ATTORNEY DOCKET NO.: HOE-810**